

REMARKS

Reconsideration of this application, as amended, is requested.

Claims 1-9 remain in the application. Independent claims 1 and 7 and dependent claim 6 have been amended to define the invention more clearly.

The Examiner objected to the drawings because the reference number mentioned on page 15 in line 13 of the specification was not shown in the drawings.

This amendment is submitted concurrently with a replacement sheet of FIGS. 24 and 25. The omitted number is shown on the replacement sheet.

The claims were rejected under 35 USC 112, second paragraph. The Examiner identified specific locations in the claims where terms did not have proper antecedent bases.

The amendments to claims 1 and 7 address the rejections under 35 USC 112, second paragraph.

Claims 1-3 and 6-8 were rejected under 35 USC 102(b) as being anticipated by Pappas (U.S. Patent Publication No. 2001/0034555). Claims 4 and 9 were rejected under 35 USC 103(a) as being obvious over this same reference.

The Examiner will note that the Pappas reference relied upon in these rejections is the same as U.S. Patent No. 6,475,241, which was cited in the Information Disclosure Statement filed with the application. The Examiner will also note that U.S. Patent 6,475,241 issued to one of the two inventors herein. Counsel and both applicants herein are very familiar with the teaching of the Pappas reference relied upon by the Examiner.

Claims 1 and 7 have been amended to define the invention more clearly. In this regard, both independent claims had originally indicated that the stops on the control arm were engaged in the notches. In fact, the stops are engageable depending upon the relative anterior-posterior position of the second component or bearing relative to the control arm. Thus, the stops and the notches cooperate to limit slidable movement parallel to the control arm. The original language could have been interpreted as preventing movement of the second component or bearing relative to the control arm. This clarifying amendment is not believed to be narrowing in nature and is not added to distinguish over the references.

Claims 1 and 7 previously had defined the second anterior stop as being removably mounted to the control arm. Claims 1 and 7 have been amended to clarify that the second or anterior stop is removably mounted by mounting means accessible at the second or anterior end of the control arm. Removability of the second stop from a position accessible at the corresponding end of the control arm facilitates assembly intraoperatively and facilitates disassembly for those situations where a revision surgery is necessary. The Pappas reference has no suggestion of either of the projections 417 or 420 on the control arm as being removable. The limitations added to claims 1 and 7 are similar to the limitations of claim 5 that the Examiner found to be patentable over the applied art.

The Examiner's rejections of claims 2-4 in view of Pappas are traversed with respect. In this regard, the Examiner stated that the Pappas reference has "a rotation-limiting stop pin (420) fixed relative to the tibial component." The element 420 in Pappas is not fixed relative to the tibial component. Rather, the element 420 is fixed to

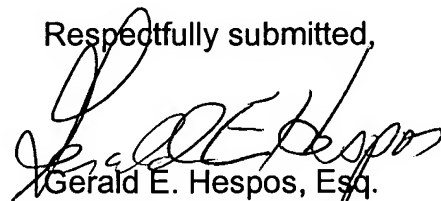
the control arm assembly, which in turn is mounted for rotation about a superior-inferior axis relative to the tibial component.

The Examiner will note that claim 6 also has been amended to emphasize that the third component (e.g. a femoral component) does not engage the control arm assembly. This distinguishes over Pappas where the post 420 that extends from the control arm assembly cooperates with the femoral component.

Examiner Reimers also is handling Application No. 10/410,779 for the same applicants. An Office Action recently issued in the copending application. That Office Action cited a few references that were not yet cited herein. An Information Disclosure Statement is being filed concurrently with this Amendment to ensure that those copending application cited the same references.

In view of the preceding amendments and remarks, it is submitted that the claims remaining in the application are directed to patentable subject matter, and allowance is solicited. The Examiner is urged to contact applicant's attorney at the number below.

Respectfully submitted,



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